Supreme Court, U.S.
FILED
JUN 4 1996
CLERK

(2)

No. 95-1748

In The

Supreme Court of the United States

October Term, 1995

JUST AARON,

Petitioner,

v.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA,

Respondent.

On Petition For A Writ Of Certiorari To The Supreme Court Of California

SUPPLEMENTAL BRIEF OF PETITIONER AARON

Just Aaron
2118 Wilshire Boulevard
Suite 335
Santa Monica, CA
90403-5784

Petitioner

4 pp

RESTATEMENT OF QUESTION PRESENTED

Whether any public utility in this great nation of ours may refuse to continue to do business with any citizen or class of citizens who seek "to protect their privacy, by rejecting unnecessary uses of information" (Appendix "A", hereto), pursuant to Federal Order (Petition, footnote 3).

SUPPLEMENTAL BRIEF OF PETITIONER AARON

". . .this power to regulate is not a power to destroy."
Chief Justice Waite, 1886[1]

Petitioner Aaron respectfully requests that the Court issue a writ of certiorari to review the judgment of the California Supreme Court in this case, including decisions of the California Public Utilities Commission that deny Aaron, a customer of GTE California Incorporated ("GTEC"), certain intrastate privileges (Petition, page 5) afforded other customers of GTEC, in violation of Aaron's due process and equal protection rights under Article I, Section 7, and Article XII, Section 2 of the California State Constitution, and the Equal Protection Clause of the Fourteenth Amendment of the U.S. Constitution (Petition, footnotes 14 and 15).

Just Aaron
2118 Wilshire Boulevard
Suite 335
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Petitioner

June 4, 1996

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[1]116 U.S. 307 (1886).

APPENDIX A

[seal] United States Department of Commerce
National Telecommunications and
Information Administration
Washington, D.C. 20230

July 27, 1995

Mr. Just Aaron
2118 Wilshire Boulevard
Suite 335
Santa Monica, CA 90403-5784

Dear Mr. Aaron:

Thank you for your letter of June 28, 1995 to Secretary Ronald H. Brown. Secretary Brown forwarded your letter to us for further review, because the National Telecommunications and Information Administration (NTIA) is the Administration's principal advisor on telecommunications policy. In this regard, we appreciate input from consumers about particular concerns that could have broad policy implications.

Your materials and letters regarding information privacy are particularly timely because at this time both the Administration, through an inter-agency working group, and NTIA in particular, are reviewing how to identify and address privacy problems arising from the ever increasing number of network transactions. Some of the issues that you raised in your letters are currently being addressed in a report that NTIA is preparing. In particular, we plan to present an approach for addressing privacy violations that allows individuals to protect their privacy by rejecting unnecessary

uses of information without having to walk away from the product or service. The report is intended to guide both federal and state policy makers in developing privacy norms.

We have reviewed the materials regarding your pending cases at the Federal Communications Commission. At this time, it would not be appropriate for us to comment on these particular cases, but we will retain your information in our files.

Thank you again for taking the time to write. If you would like additional information, please do not hesitate to contact me or Radhika Karmarkar at the above address or by telephone at (202) 482-1880.

/s/ Joseph L. Gattuso
Acting Associate Administrator
Office of Policy Analysis
and Development